

August 16, 2019

The Honorable Jocelyn G. Boyd
Chief Clerk/Administrator
Public Service Commission of South Carolina
101 Executive Center Drive
Columbia, South Carolina 29210

Via SCPSC E-FILING DMS

**Re: Application of Duke Energy Progress, LLC for Approval of Rider DSM/EE-11,
Decreasing Residential Rates and Increasing Non-Residential Rates;**

Docket No. 2019-262-E

Dear Ms. Boyd:

Please find attached for electronic filing with the South Carolina Public Service Commission a copy of the Petition to Intervene of Walmart Inc., in the above-referenced case. By copy of this letter, I am serving all parties of record via electronic mail and/or first-class mail.

Please contact us if you have any questions concerning this filing.

Sincerely,

SPILMAN THOMAS & BATTLE, PLLC

By



Stephanie U. Eaton
(SC Bar No. 80073)

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Counsel to Walmart Inc.

SUE/sds
Attachments
c: Certificate of Service

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2019-262-E

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|--|-----------------------|--|
| IN RE: Application of Duke Energy Progress, LLC for Approval of Rider DSM/EE-11, Decreasing Residential Rates and Increasing Non-Residential Rates |))))) | PETITION TO INTERVENE OF WALMART INC. |
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Pursuant to Rule 103-825 and other applicable rules and regulations of the South Carolina Public Service Commission ("Commission"), Walmart Inc. ("Walmart"), by its attorneys, respectfully requests that the Commission permit it to intervene and become a party in the above-captioned matter. In support of its Petition to Intervene, Walmart submits as follows:

1. On August 1, 2019, Duke Energy Progress, LLC ("DEP" or "Company"), filed an Application for approval of Rider 11, Demand Side Management ("DSM") Programs and Energy Efficiency ("EE") ("Application"). The Application was filed pursuant to S.C. Code Ann. Section 58-37-20, 10 S.C. Code Ann. Regs. 103-819 and 10-823, the Rules of Practice and Procedure of the Public Service Commission of South Carolina.
2. Walmart is a global retailer of goods and services and also operates throughout the United States. Walmart's principal energy management office is located at 2001 SE 10th Street, Bentonville, AR 72716-0550.
3. Walmart has the privilege of providing its retail services throughout the State of South Carolina, operating 128 facilities, including 84 Supercenters, four Distribution Centers, 27 Neighborhood Markets, and 13 Sam's Clubs.¹ Within the DEP service territory, Walmart is a large commercial customer, purchasing approximately 39 million kWh annually, and operating 13 retail

¹ <https://corporate.walmart.com/our-story/our-locations#/united-states/south-carolina>

stores and facilities, including Walmart Supercenters, a Sam's Club, and gas stations. Electricity is one of the largest operating costs faced by Walmart. As a result, any modification to DEP's electric rates and terms of service has the potential to substantially impact Walmart's operations in South Carolina. Further, Walmart is dedicated to its own investment in DSM and EE and therefore is very interested in the substance of in this case. As such, Walmart has a direct and substantial interest in the outcome of this proceeding. In addition, as a large commercial customer that purchases substantial amounts of electric and related services from DEP pursuant to multiple accounts at multiple locations, Walmart has an interest in this proceeding that is not represented by any other party.

4. The attorneys representing Walmart in this proceeding are:

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Ms. Eaton is authorized to accept service of papers in this proceeding on behalf of Walmart. Walmart also respectfully requests that Mr. Williamson be added to the service list as Walmart may seek Mr. Williamson's admission to appear before the Commission *pro hac vice* in the near future.

5. This Petition to Intervene is timely filed as no intervention deadline has yet been set.

WHEREFORE, Walmart Inc., respectfully request that it be granted leave to intervene and be made a party to the above-captioned proceeding.

Respectfully submitted,

SPILMAN THOMAS & BATTLE, PLLC

By 

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Counsel to Walmart Inc.

Dated: August 16, 2019

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2019-262-E

| | | |
|--|-----------------------|-------------------------------|
| IN RE: Application of Duke Energy Progress, LLC for Approval of Rider DSM/EE-11, Decreasing Residential Rates and Increasing Non-Residential Rates |))))) | CERTIFICATE OF SERVICE |
|--|-----------------------|-------------------------------|

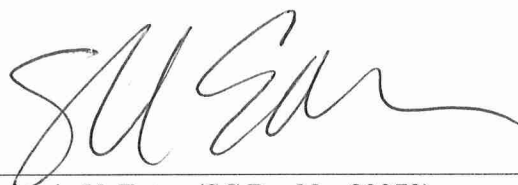
I hereby certify that I have this day served one (1) copy of the foregoing document upon the following parties to this proceeding via electronic mail and/or first-class mail:

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Dated: August 16, 2019